

**STATE OF HAWAII**  
**REQUEST FOR EXEMPTION FROM CHAPTER 103F, HRS**

To: Chief Procurement Officer

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From: Department of Public Safety  
*Department/Division/Agency*

Pursuant to § 103F-101(a)(4), HRS, and Chapter 3-141, HAR, the Department requests a procurement exemption to purchase the following:

Title and description of health and human service(s):

Housing of female inmates in a secure confinement facility in another state, to include care and custody, health care and transportation.

Reference: PEH No. 05-05

Provider Name: GRW Corporation	Total Contract Funds: \$1,604,145.00	Term of Contract:
Provider Address:  6104 Belle Rive Drive Brentwood, TN 37027	Contract Funds per Year (as applicable). 1,604,145.00	From: To: 7/1/05 9/30/05  Interim extension of contract until a new contract can be executed as a result of RFP No. PSD 05-IDA/MB-19.

Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:

This is request to extend the contract time on the current contract until a new contract can be executed as a result of the following request for proposals.

RFP No. PSD 05-IDA/MB-19 released on April 8, 2005.

Proposals were due May 19, 2005.

Preliminary Evaluation was completed May 27, 2005.

Site visits are scheduled during the week of June 19 through June 24, 2005.

An addendum requesting a BAFO, if necessary, is tentatively schedule for July 8, 2005.

The due date of the BAFO is tentatively scheduled for July 22, 2005.

Final evaluation and Notice of Award is tentatively scheduled for July 29, 2005

Contract issuance is tentatively scheduled for August 15, 2005.

Contract execution and issuance of Notice to Proceed is tentatively scheduled September 15, 2005.

Anticipated contract start date is October 1, 2005.

Note: Due to staffing issues at the Hawaii State Tax Office, tax clearances are presently taking more than four to six weeks to process.

Failure to approve an extension of time of contract executed under PEH 05-05 will result in the female inmates currently at the Brush Colorado facility returning to Hawaii causing an immediate overcrowding condition that will become a crisis situation.

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Details of the process or procedure to be followed in selecting the service provider to ensure maximum fair and open competition as practicable:

This request is to extend a contract entered into under PEH No. 05-05.

The new contract will be awarded through the 103F process.

A description of the state agency's internal controls and approval requirements for the exempted procurement:  
Upon approval, the extension of the contract will be processed through purchasing and contracts staff.  
Contract will be reviewed by the Deputy Attorney General and executed by the department's Acting Director.

A list of state agency personnel, by position title, who will be involved in the approval process and administration of the contract:

Marc S. Yamamoto, Procurement and Supply Specialist--contract documents

Shari Kimoto, Contract Administrator

Frank Lopez, Deputy Director for Corrections

James L. Propotnick, Acting Director

Direct questions to (name & position):

Marc S. Yamamoto

Phone number:

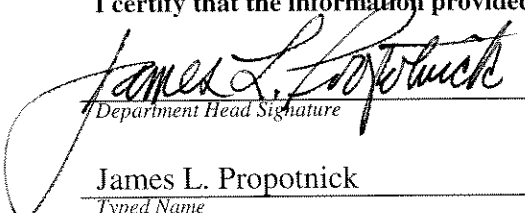
(808) 587-1215

e-mail address:

marc.s.yamamoto@hawaii.gov

This exemption should be considered for list of exemptions attached to Chapter 3-141, HAR: Yes ☐ No ☒

**I certify that the information provided above is to the best of my knowledge, true and correct.**

  
Department Head Signature

James L. Propotnick

Typed Name

  
Date

Acting Director

Position Title

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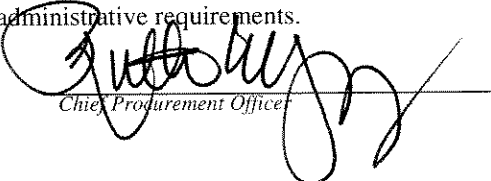
Chief Procurement Officer's Comments:

PSD shall request a tax clearance upon notice of award and follow-up with the provider to ensure they request the tax clearance in a timely manner.

Please ensure adherence to applicable administrative requirements.

☒ Approved

☐ Denied

  
Chief Procurement Officer

6/29/08  
Date

cc: Administrator  
State Procurement Office

Attachment to **PEH 05-35**, Request for Exemption From Chapter 103F, HRS.

Additional information for "Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State"

1. Please replace "BAFO" with Final Revised Proposal (FRP).
2. Explanation of why request for proposal was issued April 8, 2005 and not sooner.

The department did not have a procurement and supply specialist until January 11, 2005. Prior to that date, purchasing and contract duties were with the Acting Administrative Services Officer.

Preliminary discussions between the Purchasing and Contracts Staff and the Mainland Branch started February 11, 2005. From February 11, 2005 up to the solicitation's release on April 8, 2005 there were weekly meetings to discuss the specifications and evaluation criteria for the RFP. Specification issues included the areas of: Inmate Services; Programming; Health Care; Security; and the facility itself. It is because of the complexity of each of the areas of service in the specifications that made the RFP's development time consuming. Also time consuming was the development of the evaluation criteria and its related scoring and weighting to properly relate the criteria to its importance.

3. Clarification of the "staffing issues at the Hawaii State Tax Office":

This addition of this note was to advise SPO-H of the potential delay in executing a contract once the selection was made. Pursuant to §103-53, HRS, a tax clearance is a prerequisite to entering into a contract. Therefore, the reference to the Hawaii State Tax Office's lead time on issuing a tax clearance is justified when reviewing the contract award process and whether or not PSD's tentative timeline is reasonable.